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COMMISSION ON HUMAN RIGHTS

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SUMMARY RECORD OF THE 36th MEETING
(FIRST PART*)

Held at the Palais des Nations, Geneva,
on Thursday, 20 February 1992, at 3 p.m.

Chairman: Mr. SOLT (Hungary)
later: Mr. ENNACEUR (Tunisia)

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* The summary record of the second part of the meeting appears as document E/CN.4/1992/SR.36/Add.1.

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The meeting was called to order at 3.15 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS

(b) SITUATION OF HUMAN RIGHTS IN OCCUPIED KUWAIT

(c) SITUATION OF HUMAN RIGHTS IN VARIOUS COUNTRIES (agenda item 12) (continued) (E/CN.4/1992/3, 4, 25, 26, 27 and Corr.1, 28 and Add.1, 29, 31, 32, 34, 35, 36, 37, 60 (S/23212), 64, 67 and 68; E/CN.4/1992/CRP.1; E/CN.4/1992/NGO/2, 5, 10, 13, 19, 24 and 34; E/CN.4/1991/24, 27, 28, 29, 30, 31, 33 and Add.1, 34, 35 and 36; A/46/446, 529, 542, 544 and Corr.1, 606 and 647)

1. The CHAIRMAN invited delegations and observers wishing to do so to speak in exercise of their right of reply in accordance with article 45 of the Rules of Procedure.

2. Mr. IBRAHIM (Observer for Djibouti) said that all the allegations made by the representative of the Arab Organization for Human Rights concerning Djibouti were unfounded. There were no political prisoners in Djibouti, contrary to what he had claimed without mentioning any names or furnishing any proof in support of his assertions. He had probably been referring to the 30 prisoners charged under the ordinary law with attempting a coup d'état whose case was very straightforward and who would be given a fair and public trial. Contrary to the assertions of that non-governmental organization, Djibouti had embarked on a process of democratization and political pluralism; a new constitution which would safeguard those principles and uphold human rights was being drawn up and would be submitted to a referendum as soon as the situation had been normalized and the country liberated. The representative of the Arab Organization for Human Rights had omitted to say that, since November 1991, Djibouti had been subjected to attacks by the Afars of a neighbouring country who were already occupying part of its territory with the utopian aim of establishing a "Greater Afaria", which was merely delaying the irreversible process of democratization that had begun. The Arab Organization for Human Rights would do well to verify its sources of information and keep abreast of the current situation before making accusations that were not backed by any evidence.

3. Mr. ZHAN Daode (China) deplored the attitude displayed by the representative of the United States and by the Portuguese delegation, speaking on behalf of the European Community, at the previous meeting, when they had made slanderous accusations against China on the subject of criminals who had been rightfully sentenced for their subversive activities. Those allegations, which the Chinese delegation categorically denied, constituted interference in China's internal affairs. In fact, the United States representative was attempting to divert the international community's attention from the situation in his own country, for the record of the

United States in regard to human rights was far from glorious. The Department of Justice had recorded 15,000 complaints of acts of violence committed by the police in 1990 in large cities such as New York, Chicago, Los Angeles and Washington and the crime rate had reached an alarming level in that country. Over a million American citizens were currently behind bars, making the detention rate in the United States one of the world's highest. Racial discrimination was also causing very serious problems in that country, where the Blacks were at the bottom of the social scale and many of them were living below the official poverty line. The Chinese delegation thought that the United States representative would do better to concern himself with those problems and with the violations of human rights that were being committed in his own country before attacking others.

4. Mr. RAO KOURI (Cuba) found it regrettable that the United States delegation had seen fit to stress insistently that the Cuban Government had not cooperated with Mr. Rivas Posada, the Special Representative assigned to examine the human rights situation in Cuba, although the Cuban delegation had explained that it had been unable to do so inasmuch as it did not regard Mr. Rivas Posada's mandate as possessing any validity. The United States representative was forgetting that Cuba had always cooperated and would continue to cooperate with the United Nations, particularly within the scope of the confidential procedure defined in Economic and Social Council resolution 1503 (XLVIII). The Cuban delegation was also astonished that the United States delegation should continue to draw the Commission's attention to violations of human rights allegedly being committed in Cuba, when thousands of persons in the United States were being denied the right to adequate food, housing or work or were being discriminated against because they were Black, of Hispanic origin or members of the indigenous communities which had been robbed of their land and their natural resources. In view of those facts, the Commission could hardly give credence to the allegations made by the United States representative, who was not thereby making a positive contribution to its discussions.

5. The Cuban delegation also regretted that the States members of the European Community, many of which were currently facing problems of intolerance, xenophobia and racism in their own countries, had chosen to side with their American allies by attacking Cuba. In so doing, they would certainly not be helping to promote collaboration in the field of human rights.

6. Mr. GUBARTALLA (Observer for Sudan) said that it would be pointless to refute, one by one, all the false allegations that had been made against his country by the representative of the United States, that self-proclaimed champion of peace which presumed to sit in judgement and deliver arbitrary verdicts without taking account of the opinions and constraints of the other countries. He would however point out that the war raging in southern Sudan resulted from the policy of the major Powers which had attempted to sow discord between the populations of the North and the South by claiming that the North was seeking to impose its domination over the South. The present Government had silenced them by adopting a federal system that allowed every province a degree of legislative autonomy. All the allegations to the effect that the members of some religions were being discriminated against or that

summary executions had taken place were unfounded. The displacement of population groups from the capital to other regions, which the representatives of the United States and the European Community had highlighted, was legitimate and necessary. The Government was ready to enter into political negotiations with the rebels; it was the demands the latter were making which were the obstacle. Finally, the detention measures were in no way discriminatory and were monitored by the judicial authority, which was totally independent in the Sudan. Moreover, the detainees were not subjected to torture and several delegations, including a European parliamentary delegation, which had visited the Sudan could vouch for that fact.

7. Mr. KHOURY (Syrian Arab Republic) pointed out to the representative of Portugal, who had spoken on behalf of the 12 States members of the European Community, that Syria had always respected the obligations that it had assumed under the international human rights instruments to which it was a party and which had been embodied in its domestic legislation. The allegations of discrimination against the Jewish minority in Syria were totally unfounded. Syria was proud of having been the cradle of three major religions, and anyway no one could claim to be unaware of the parts of the world where massacres were being committed for religious reasons. The emergence of neo-Nazi tendencies and the increasingly numerous manifestations of racism in some countries of the EEC were also a grave source of concern; every country should examine its own record and seek to ascertain where the real violations of human rights were occurring before making accusations against other countries.

8. Mr. ULLMANN (Coordinating Board of Jewish Organizations) noted with regret that, in spite of the welcome rapprochement between the major Powers, the rights of persons belonging to minorities were still being flouted because the end of the cold war had given rise to tension among the various minorities. The Board welcomed the result of the efforts of the Working Group assigned to draw up a draft declaration on the rights of minorities, which it hoped would be adopted, and thanked the Centre for Human Rights for the way it was assisting Governments to solve the human rights problems currently facing minorities. He respectfully invited Governments to benefit from the Centre's assistance and to promote closer relations between the latter and the national committees on human rights.

9. The Coordinating Board of Jewish Organizations was also greatly concerned at the xenophobia which migrant workers were facing throughout the world and hoped that special efforts would be made within the context of the World Public Information Campaign on Human Rights in order to make members of minorities and migrant workers aware of their rights.

10. He drew the Commission's attention in particular to the situation of the Jewish minorities in several countries where they were encountering problems, the nature of which varied depending on the region in which they were living. Thus, while in the countries of eastern Europe measures had been taken by the new leaders to attenuate the discrimination to which those minorities had formerly been subjected, in the Middle East, on the other hand, their situation remained difficult. That applied in particular to Syria, where members of the Jewish minority were denied the most fundamental rights and

freedoms, such as freedom of movement, were barred from most professions, could not freely practise their religion and were subjected to all kinds of harassment. The Jews of Yemen were also living in very precarious conditions, which were constantly deteriorating. In western Europe, they were often the victims of manifestations of hatred, anti-Semitism and xenophobia instigated by extremist neo-Nazi groups which should be denounced systematically and energetically. In that connection the Board welcomed the decision by the Argentine Government to make public its archives on the Nazi war criminals who had resided in that country, and hoped that the country protecting the notorious Nazi criminal Aloïs Brunner would follow that example in order to facilitate the inquiries conducted by various Governments which were calling for his extradition under the relevant international regulations. The Board also hoped that in future, the Commission would accord high priority to those questions, with a view in particular to the preparation of a draft declaration or convention.

11. Mr. AHDEROM (Baha'i International Community) once again drew the Commission's attention to the precarious situation of the Baha'is in Iran where, for the last 12 years, they had been persecuted, harassed and denied their most basic rights. As could be seen from the report of Mr. Galindo Pohl, the Special Representative on the human rights situation in the Islamic Republic of Iran (E/CN.4/1992/34), the Baha'is did not enjoy access to higher educational institutions or the civil service, they were deprived of the means to earn a living, and all their property was being confiscated. Moreover, they were unable to leave the country and eight of them were reported to be currently in prison solely because of their religious convictions. In spite of a few measures that might give the impression that their situation had improved, the campaign of persecution and oppression to which they were being subjected was continuing in furtherance of the Iranian authorities' avowed aim of eliminating them. In particular, the members of the Baha'i community were officially forbidden to exercise their right of assembly and their right to elect the administrative bodies which directed all their activities at the local, national and international levels and therefore played a major role in their lives. That was why, on its assumption of power, the Government of the Islamic Republic of Iran had actively sought to undermine those institutions first by attacking their representatives and subsequently, in the face of Baha'i resistance, by purely and simply banning them. Their dissolution obviously posed a direct threat to the existence of the Baha'i community in the same way as the execution of some of its members.

12. The Baha'is of Iran had always demonstrated their commitment to the peaceful ideals of their faith, which called for total avoidance of any form of partisan political activity and strict obedience to the Government. The fact that they had always respected those principles clearly showed that they were being persecuted for purely religious reasons. The sole aim of the worldwide activities of the Baha'is was to promote unity and harmony among peoples. To achieve that noble aim, the Baha'is upheld the principle of the equality of the sexes, advocated compulsory education for all, recognized the harmony between science and religion, and called for recognition of and respect for the essential unity of all religions and all peoples. Such principles in no way justified the harsh manner in which they were being

treated. It should not be forgotten that the Baha'i community constituted the largest religious minority in Iran and that Baha'is remained eager to promote the development and well-being of their country in cooperation with their fellow citizens.

13. The Baha'i International Community appealed to the Iranian Government to respect the Universal Declaration of Human Rights and its obligations as a State party to the International Covenants on Human Rights by removing all the restrictions imposed on the rights of the Baha'is in Iran and by legally recognizing the right of that peaceful religious community to exist and function. He sincerely hoped that the day would come when the Baha'i International Community would no longer need to solicit the aid of the international community. All Baha'is throughout the world were impatiently awaiting the day when the sufferings of the Baha'i community in Iran would finally end and it would be able to exercise all its rights.

14. Mr. DAVIES (Survival International) said that the Nuba and Fur of western Sudan were victims of a deliberate policy on the part of the Sudanese Government which was designed to exterminate them as peoples. They were being assailed or manipulated simultaneously by three groups: the regular Sudanese army, the rebel Sudanese Peoples' Liberation Army (SPLA) and Government-armed paramilitary troops drawn from local Arab tribes. Those peoples were living in fear and crying out against "genocide". Since October 1991, the area of the Nuba mountains had been sealed off by the Government in order to conduct a large-scale military operation, purportedly against the SPLA. Before that date, there had been frequent reports of arbitrary arrests, "disappearances", massacres, raids on villages and confiscations of land. In spite of the quarantine imposed on the area, similar reports were still being received. In January 1992, a meeting of provincial governors at El Obeid, the capital of Kordofan, had declared a holy war against "desperate rebel remnants" in Southern Kordofan. That was likely to become a pretext for continued repression of the Nuba. In fact, although the slaughter had been backed by an appeal to religion, its motivation was purely political, since many of the victims were themselves Muslims of long standing.

15. The Nuba people, numbering about a million, consisted of various tribes living in the hills named after them in the province of Southern Kordofan. The Nuba, most of whom were farmers and herders, were "African", as opposed to the neighbouring "Arab" tribes, and traditionally non-Muslim; they practised their own religious cults, although many of them had become Muslims or Christians. For generations, the Nuba had been in competition with the Baggara, a largely cattle-herding Arab tribe in Southern Kordofan, for land, wells and markets. However, in spite of their conflicts, the two peoples traded together and mixed marriages were quite frequent. The present policy of terror was attributable to external groups and was the culmination of a decade of violence. In the atrocious civil war which was currently raging, the Government had made extensive use of armed militias from loyal Arab tribes to support the regular army. The Baggara had thus been supplied with arms, which they had used to raid Nuba villages, stealing their cattle and property and killing villagers.

16. The SPLA rebels regarded the Nuba, though the latter lived further to the north, as their natural allies. In 1987, the SPLA had recruited a unit in the Nuba mountains and Nuba leaders who had refused to cooperate with them had been kidnapped or assassinated. The regular army and its intelligence services, for their part had had suspected SPLA sympathizers arrested and executed. The Nuba leaders had initially welcomed the coup d'état which brought General El-Bashir's Government to power in June 1989, since it had promised to restore law and order and disarm the militias. However, their hopes had soon been dashed when the new Government had legalized the militias, renaming them the "Popular Defence Force". The raids on Nuba villages had become increasingly bloody. In October 1989, for example, houses had been burnt and looted in the town of El Lagawa and in 19 other villages, where a total of 98 persons had been killed and 3,000 left homeless. By 1990, an estimated 60,000 persons had been displaced. The Nuba believed, plausibly enough, that they were the victims of a deliberate attempt by the central authorities to drive them from their land in order to give it to the Baggara who, as Arab Muslims, were regarded in a more favourable light.

17. In 1991, the violence had intensified due to cooperation between the PDF militias and the regular army. Arbitrary arrests of supposed SPLA sympathizers by the military intelligence services had increased during the last two years. Those arrested were never seen again. The targets were primarily Nuba with educational qualifications, who might become political leaders. For example, 37 young Nuba men who had been arrested and tortured in August 1991 were still missing. There were lawyers and teachers among them, including two high-school teachers, Ismat Hassan Khair al-Sid and Yousif Galdagoun. In early October 1991, the commandant of the local garrison had been killed in an SPLA ambush near the provincial capital Kadugli, in retaliation for which 100 Nuba had been rounded up and most of them were believed to have been killed.

18. Meanwhile, the economic and service infrastructures were being run down in the Nuba area. Medicine was difficult to obtain and there had been acute food shortages in 1990 and 1991. Food relief was inadequate and the population believed that it was being deliberately blocked by the Government. Other Nuba had had to join the southern Sudanese refugees in the shanty towns around Khartoum where, like the others, they were subjected to heavy-handed treatment by the Government in an attempt to resettle them outside the urban area. Three persons had been killed in an operation of that type on 15 January 1982. According to the most recent reports, a large number of Nuba civilians from the Kamda tribe had been arrested in early December 1991; 19 of them had been killed in prison at El Lagawa and the rest taken to the provincial capital, El Obeid, where they had been charged under the new Counterinsurgency Act No. 96. Villages belonging to the Kamda and other tribes had been evacuated by force and rumours to the effect that the crops which those tribes had planted were being harvested by the SPLA suggested that the aim of those operations was to dispossess them of their land. According to another credible report, a militia group had abducted 5,000 Nuba children between 8 and 16 years of age, who were being held in a camp and given military training and indoctrination by the National Islamic Front.

19. Farther west, the Fur people were suffering a similar fate. In the increasingly numerous conflicts between them and local Arab tribes, the Government had invariably supported the latter, labelling the Fur and other groups attempting to defend themselves as "robbers". The Fur and other tribes in the area were threatened with destruction by the national policies of Sudan and Chad. Colonel El Tayeb Ibrahim, the governor of the province, was currently conducting a military campaign against them. On his orders, helicopter gunships were being used against Fur villages, hundreds of which had been razed to the ground. The Fur villagers were apparently being systematically driven from their land, with the connivance of the Government, so that it could be taken over by Arab tribes.

20. In view of that alarming situation, Survival International urged the Commission to bring pressure to bear on the Sudanese Government:

- To put an end to the attacks on the Nuba and Fur by the army and PDF militias;

- To release food and medical aid to the Nuba;

- To put an end to arbitrary arrests of the Nuba and ensure that those in prison were tried or released.

21. Mrs. GRECH (International Work Group for Indigenous Affairs, IGWIA) said that in 1991 the International Chittagong Hill Tracts Commission had published a report on human rights in that area. That Commission, which was the first independent body to have been allowed free access to the area, had been able to visit the Jumma refugee camps at Tripura in India.

22. The Commission had also visited Bangladesh while that country had still been in the throes of transition after the overthrow of the military regime of Hussein Mohammed Ershad in December 1990 by the combined forces of the Democracy Movement. Its findings had largely confirmed earlier reports of human rights violations in the Chittagong Hill Tracts where, 14 months after the change of Government, the district councils set up by the military regime were still functioning and the Jumma were still being arrested, injured, tortured, raped and murdered.

23. The Commission had recommended the appointment of a United Nations special rapporteur on the Chittagong Hill Tracts and demanded the cessation of the human rights violations for which the army, or persons under its protection, were responsible. It had concluded that priority should be accorded to demilitarization of the area and the establishment of autonomous political institutions after the holding of a referendum, together with the cessation of colonization and the dismantling of the military cluster villages.

24. The Chittagong Hill Tracts were still in the grip of military rule and it seemed that the benefits of the new democracy had not yet been felt in Bangladesh where there had been no improvement in the human rights situation since the change of Government. Numerous violations had been reported since the publication of the Commission's report. Attributed to the security

forces of Bangladesh, they included torture, rape, the burning of houses and extrajudicial executions of non-combatant Jumma. As an example, she referred to the case of Monotosh Dewan who, together with several other persons, had been arrested by the security forces in July 1991 and was still in prison although gravely ill after being tortured repeatedly. An entire Jumma village had been burnt down by miltary personnel on 18 May 1991 and its inhabitants forcibly relocated to a military cluster village. IWGIA had detailed information concerning numerous cases of rape of Jumma women by army personnel and was extremely concerned at the army's systematic use of rape as a means of intimidation.

25. Anyone who dared to raise the issue of the Chittagong Hill Tracts was harassed by the security forces. For example, 960 copies of the International Commission's report, published quite legally, had been confiscated the previous year by the Bangladesh police. Two members of the Bangladesh Citizens' Committee had been arrested and interrogated at Dhaka for issuing copies of the report. In September 1991, a human rights worker from Nepal had been arrested and interrogated at Dhaka Airport while preparing to board a flight to Kathmandu. His only crime had been having a copy of the Commission's report in his luggage. Under the Special Powers Act, which the new Government had promised to repeal, 78 Jummas were currently detained at Rangamati prison and 38 at Chittagong prison for campaigning openly and legally against human rights violations in the Chittagong Hill Tracts. A letter of protest sent to the Government of Khaleda Zia by Mr. Wilfried Telkaemper, a member of the International Chittagong Hill Tracts Commission, had remained unanswered.

26. IWGIA had learned that the army had raised the level of Lake Kaptai in the Chittagong Hill Tracts to 110 feet, flooding the farmlands of the Jummas, whom the army also prohibited from fishing in the lake and from felling trees in the area. However, the Bengali timber merchants were still logging there without problems. Far from being designed to protect the environment, those measures were evidently intended to prevent financial aid from reaching the Jumma combatants, the Shanti Bahini (Peace Force). Consequently, the Jummas were dying of hunger, having no form of sustenance other than bamboo shoots and the stems of banana trees.

27. The issue of the Chittagong Hill Tracts had not been debated in Parliament since the election of the new Government of Khaleda Zia, which was merely pursuing the repressive policy of Hussein Mohammed Ershad. IWGIA earnestly appealed for the recommendations of the International Chittagong Hill Tracts Commission to be acted upon and for the system of parliamentary democracy in Bangladesh to be extended to include that area.

28. Mrs. COLIVER (Article 19, the International Centre Against Censorship) expressed grave concern at the widespread censorship that was being practised in the Kingdom of Bhutan and went on to speak of the violations of freedom of expression which were being committed in three countries: Iran, Myanmar and Sri Lanka.

29. In the case of the Islamic Republic of Iran, although the Government had given an undertaking to the Special Representative of the Secretary-General to show greater respect for international human rights standards, it was manifestly continuing to violate fundamental rights on a massive scale. For example, it was estimated that several thousand detainees were currently being held in Iranian prisons for the non-violent exercise of their right of freedom of expression. The precise number could not be determined because the Iranian Government was refusing to provide information. Iranian citizens who held political opinions opposed to those of the Government still ran the risk of being arrested, tortured and even executed. Moreover, the Iranian Government had refused to allow the International Committee of the Red Cross access to prisoners. In view of that situation, her organization earnestly requested the Commission to extend the mandate of the Special Representative for a further year.

30. Her organization was also deeply concerned at the human rights situation in Myanmar. Imprisonment, torture and massacres were being committed with total impunity in that country, which had become one of the least accessible anywhere in the world. The human rights violations committed by the State Law and Order Restoration Council (SLORC) in themselves justified the appointment of a special rapporteur. There were countless examples of those violations, such as the detention of more than 100 members of Parliament and hundreds of members of the new democratic parties, the arrest of Buddhist monks, cases of death in custody, torture, ill-treatment and restrictions on the right to practise the Christian and Islamic religions. Furthermore, the civil war in Myanmar was spilling over into Thailand and Bangladesh, where more than 150,000 persons had already sought refuge. She therefore urged the Commission to suspend its consideration of the situation in Myanmar under the confidential 1503 procedure and appoint a special rapporteur to report to the General Assembly in September and to the Commission at its forty-ninth session.

31. She also called upon the Commission to take action concerning Sri Lanka. One of the world's most murderous wars was still raging in the north and north-east of that country. The excellent report (E/CN.4/1992/18/Add.1) prepared by the Working Group on Enforced or Involuntary Disappearances, which had visited Sri Lanka in October 1991, showed that the Government or its partisans were responsible for more than 1,000 disappearances in 1991. The investigation and prosecution procedures were slow and largely ineffective. In view of that situation, her organization was again, as in previous years, asking the Commission to appoint a special rapporteur to examine the question of human rights in Sri Lanka. She also urged the Commission to adopt the recommendations of the Working Group, invite the Sub-Commission on Prevention of Discrimination and Protection of Minorities to examine the Government's compliance with those recommendations, and request the Special Rapporteur to visit Sri Lanka, as a matter of high priority, particularly since the Sri Lankan Government had already issued an invitation to that effect.

32. Mrs. BECK (World Movement of Mothers) expressed gratitude to all the countries which, after years of sanguinary and fruitless struggle, had been able to establish peace and adopt a democratic system. Unfortunately, in all too many countries and regions of the world, the population was still living

in blood and tears. The World Movement of Mothers was not passing judgement on the political aspect of conflicts; it merely wished to express the views of the mothers and their children who were the innocent victims of those tragedies. All their sufferings resulted from the same process: establishment of a police State; summary arrests; detention, torture, ill-treatment, rape and forced prostitution of women; disappearance of children; displacement of populations; and irreparable destruction of cities. That had happened in so many countries that it was impossible to name them all. In an age of unprecedented technical progress, how could the men in power be incapable of settling their disputes by non-violent means? The World Movement of Mothers fully endorsed the remarks made before the Commission by, among others, Mr. Bernard Kouchner, Secretary of State for Humanitarian Affairs of France, and Mr. René Felber, Minister for Foreign Affairs and current President of the Swiss Confederation. Like them, it proposed recognition of a right to intervene in conflicts and urged the Commission to spare no effort to encourage the Security Council of the United Nations to intervene before those conflicts escalated, with a view to prevention rather than cure.

33. Mrs. MILAS-MATUTINOVIC (World Movement of Mothers), taking the floor after Mrs. Beck, said that she had come specially from Croatia to speak of the flagrant violations of human rights that were being committed in the territory of the Republic of Croatia, since she wished to inform the Commission of the extent and characteristics of those violations. Non-Serbian civilians were being systematically expelled from their homes and 750,000 persons had so far been displaced in Croatia. The methods of expulsion were often extremely brutal and several hundred civilians, including elderly persons, women and children, had been massacred; Croatian villages and towns were being systematically destroyed and civilian buildings, such as hospitals, schools, churches, etc., were being targeted in violation of the resolutions and conventions of the United Nations and instruments of humanitarian law, to which the former Yugoslavia had been a party. After looting a village or a town, the Serbians systematically destroyed the civil status and land registers and devastated the cemeteries to obliterate all trace of Croatian life.

34. About 85,000 persons, mostly residents of the town of Vukovar, had been taken prisoner and were currently held in detention and concentration camps. It should be realized that, in the heart of Europe at the end of the twentieth century, there were more than 40 concentration camps in Serbia and in the part of Croatia occupied by the Serbian terrorists. The prisoners were mainly civilians, women, children and wounded persons. Moreover, 2,000 Croats were still enlisted in the army against their will. She called upon the Commission to do its utmost to save the innocent civilian population of Croatia.

35. Mr. DIENG (International Commission of Jurists) said that political considerations weighed heavily on the Commission's debates every year and he deplored the fact that only violations committed in some countries were denounced. The Commission's debates should highlight the responsibilities of the States which were denying their citizens their most basic rights and should not be used to score points against political adversaries. While the

International Commission of Jurists believed that multi-party systems were the most conducive to democracy and human rights, it was against using the Commission on Human Rights in an attempt to impose particular systems on sovereign States. In any case, political pluralism did not necessarily ensure respect for human rights, as could be seen from what was happening in States such as Colombia, Guatemala, Peru, the Philippines and Sri Lanka. A truly democratic system, in which citizens could freely participate in the affairs of the country, and respect for the rule of law offered the best safeguards for human rights.

36. The International Commission of Jurists wished to draw attention to the situation in two countries which, although not referred to in the agenda, could not go unmentioned. Indonesia had invaded and occupied East Timor in 1975. Between 1975 and 1980 more than 100,000 persons (out of a total population of 700,000) had been killed. A further 100,000 persons were believed to have died since 1980. The international community's silence in the face of that tragic state of affairs had been remarkable. The world had finally taken an interest in East Timor the previous November when the security forces had opened fire on a crowd of demonstrators, killing between 100 and 200 persons. Faced with an international outcry, the Indonesian Government had appointed a commission of inquiry, whose preliminary findings implicitly blamed the angry crowd which had allegedly provoked the security forces into a spontaneous overreaction without any order being given to open fire. However, a report which the International Commission of Jurists was releasing that same day found that, according to eyewitnesses, the truth of the matter was quite different. In fact, the demonstration had proceeded peacefully until the security forces opened fire on the crowd. It was therefore evident that the commission of inquiry had not shown the requisite degree of impartiality. Furthermore, it was noteworthy that, whereas none of the military officers had been tried, dozens of demonstrators were still in detention. The International Commission of Jurists noted with satisfaction that Mr. Amos Wako, the personal envoy of the Secretary-General, had been received by the Indonesian authorities; however, such diplomatic contacts were no substitute for an impartial investigation and a study of the human rights situation on that occupied island.

37. In Myanmar, the State Law and Order Restoration Council (SLORC), which had taken power by force in 1988, had refused to transfer power to the forces which had won an overwhelming victory in the 1990 elections. It was flouting human rights, ruining the country's economy and devastating the environment. An investigation conducted by the International Commission of Jurists had shown that political freedoms in Myanmar had been virtually abolished. All criticism of the Government was illegal and the expression of dissenting opinions was punished. Moreover, the SLORC had "relocated" more than half a million persons to areas that lacked schools, hospitals and sanitary installations and were often infested with malaria. Military personnel used villagers and persons who had been arrested in the cities, including children, pregnant women and sick persons, as porters to carry food and weapons for the army. The judiciary was subservient to the SLORC. Furthermore, the forests in the border areas were being destroyed, thereby endangering the environment.

The international community should impose strict economic sanctions on Myanmar until the SLORC transferred power to civilians in accordance with the 1990 election results.

38. In 1960, the International Commission of Jurists had published an important study on the situation in Tibet. That study indicated that the Chinese authorities had violated the civil and political rights of the Tibetans, as well as their economic, social and cultural rights, and that acts of genocide had been committed against the Tibetans as a religious group. Those violations were still continuing. The International Commission of Jurists therefore urged the Commission to give attention to the situation in Tibet as well.

39. Mr. ABDULLAH (United Arab Emirates) spoke on agenda item 12 (b), concerning the human rights situation in occupied Kuwait. He welcomed the very useful report that had been presented by the Special Rapporteur assigned to examine the human rights situation in that country (E/CN.4/1992/26). Iraq's invasion of Kuwait constituted a flagrant violation of international law and international human rights instruments as well as a serious assault on the identity and freedoms of the Kuwaiti people. Iraq's occupation of Kuwait and the massacres committed by the Iraqis had been condemned by peace-loving forces throughout the world and by regional and international organizations.

40. For Kuwait, the economic consequences of the Iraqi invasion and occupation had been devastating. More than 700 oil wells had been set ablaze and the environment had been gravely damaged by the air and water pollution resulting from the explosion of the wells. Finally, it should not be forgotten that, when the Iraqi forces had withdrawn from Kuwait, they had taken with them Kuwaiti civilians and military personnel and, although some of them had since been released, 200 Kuwaiti citizens and nationals of other countries were still listed as missing. Iraq's refusal to release the prisoners constituted a violation of the Security Council resolutions and of international law. Consequently, the United Arab Emirates urged the Commission to call upon the Iraqi Government to respect humanitarian law, the United Nations resolutions, particularly the relevant resolutions of the Security Council, and the decisions of the Compensation Fund.

41. Mr. CENKO (Observer for Albania) thanked the Under-Secretary-General for Human Rights and the Centre for Human Rights for their support for the process of democratization and the promotion of human rights in his country. In spite of the generally positive changes that had taken place in the field of human rights throughout the world, still greater attention should be given to ensuring that Member States respected their humanitarian obligations and to identifying particularly serious situations. In that regard, consideration should be given to the situation of the 3 million Albanians in Yugoslavia, who constituted not only the oldest but also the third numerically largest indigenous population after the Serbs and Croats. In the regions of Yugoslavia inhabited by Albanians, and particularly Kosovo, where most of them lived, the Serbian authorities were acting in a manner incompatible with United Nations human rights instruments and with democracy. The Albanian population, on the other hand, were showing tolerance and maturity by avoiding provocation and expressing, in a legal and democratic manner, their

determination to enjoy their rights on a footing of equality with the other peoples of Yugoslavia. It was high time for the question of the violation of the rights of the Albanians in Yugoslavia to be examined with particularly close attention by the Commission which, on the threshold of the twenty-first century, should not tolerate apartheid practices in the heart of the European continent.

42. Although that distressing situation was well known, he must recapitulate some facts which proved that, in 1991, the Yugoslav authorities had intensified their campaign of repression against the Albanians, especially the Albanian majority in Kosovo. Those facts, which had been reflected in official statements, in the press, in declarations or reports by Albanian or non-governmental humanitarian organizations and in the resolutions adopted by various States, were in marked contrast to the humanitarian standards defined in the Universal Declaration of Human Rights. It was particularly disturbing to note that the Albanians in Yugoslavia were being denied the most basic of rights, which was that to life, since in 1991, in time of peace, several of them had been assassinated or had died as a result of torture. In the last three years, Serbian police or military terror had caused the deaths of 85 Albanian civilians. An even greater atrocity was the poisoning, by toxic gas, of 7,000 students of Albanian origin in their classrooms in March 1990. Hundreds of the victims were still in a very serious condition. Tens of thousands of Albanians in Yugoslavia had also been tortured or ill-treated in the course of political trials, not to mention the hundreds of others who had suffered gunshot wounds. Although those practices were widespread mainly in Kosovo, similar abuses had also been reported in Macedonia where, for example, an Albanian had been beaten to death by policemen in 1991.

43. The judiciary in Yugoslavia was subject to the political authorities and was influenced by ethnic criteria. Albanians did not enjoy equal protection before the law and the courts sentenced them to penalties that were much harsher than those inflicted on Serbs or Montenegrins. The courts in Kosovo had been suspended and partly transferred to Belgrade, where the Albanian judges had been replaced by Serbs and Montenegrins. In Macedonia too the courts took an anti-Albanian stance. In 1991 the arbitrary arrests had continued in Kosovo and elsewhere, and Yugoslavia could rightly be said to have been transformed into a prison for all Albanians. Since 1981, almost a million of them had been in police hands for alleged "breaches of the peace" or as a result of mere denunciations. That had happened to many intellectuals, who had been arrested and held in prison for months.

44. The situation was also grave in regard to encroachments on Albanians' right to freedom of thought, opinion and expression. All opponents of the official anti-Albanian policy were immediately arrested, dismissed, expelled or isolated. Thousands of teachers at all levels had been affected by those measures, which had prevented a total of 450,000 pupils and students from pursuing their studies. Identical measures had also been taken against the Albanian intellectuals who had dared to express their opinions.

45. At the present time, Yugoslavia was the only country in Europe, and one of the few anywhere in the world, in which there were still political prisoners. In the last three years, about 30,000 Albanians had been convicted in summary proceedings for "political infringements" under article 305 of a Serbian enactment, which was never applied except to them. The right to information was also subject to restrictions. For almost two years, the police had been occupying the radio and television building at Pristina and hundreds of journalists and technicians had been dismissed. Similar restrictions had been imposed on the only daily newspaper in Albanian. Journalists were sometimes summoned to police stations, arrested, beaten, prosecuted and even sentenced to terms of imprisonment. Every means was being used to prevent Albanians from exercising their right to freedom of assembly, association and peaceful demonstration, including the right to strike. In Kosovo, Serbia was making it almost impossible for the political opposition parties to engage in any activity. Tens of thousands of workers had been dismissed for participating in a 24-hour strike in September 1990, even though that fundamental right was recognized in Yugoslav legislation.

46. The right to work was also being flagrantly violated in Kosovo, where unemployment was affecting the Albanians more severely than the other ethnic groups, particularly since 26 July 1990 when the Serbian Parliament had adopted a legislative enactment concerning contracts of employment in special circumstances, which had led to the immediate dismissal of 60,000 Albanians. All Albanian policemen, business managers, judges, prosecutors and civil servants had been dismissed and 3,000 small private firms had been closed down. The methods of dismissal which Serbia was applying in Kosovo were also completely contrary to international conventions and it was reported that the total number of Albanians who had been dismissed for ethnic or political reasons currently amounted to 100,000.

47. Furthermore, the right to own private property was being flouted and the economic infrastructure of Kosovo destroyed. The medical system had been virtually dismantled with, as a direct result, a considerable rise in the mortality rate, particularly among children. The upshot was that more than 120,000 families were living in such precarious conditions that it could be affirmed that they were being denied the right to an adequate standard of living.

48. Serious violations, and even denial, of the right to education had been observed. Albanian university staff had been arbitrarily replaced by Serbs and Montenegrins, Albanian-language secondary schools in Kosovo had been closed in 1990 and Albanian students were being denied access to secondary or university education. As already noted, nearly 500,000 pupils and students were suffering from those restrictions. Serbia had also taken numerous restrictive measures detrimental to the cultural identity of the Albanians, in particular by curtailing their school curricula, undermining their cultural institutions and censoring works that were "politically incorrect". Finally, a veritable "Berlin wall" had been erected to isolate the Albanians of Yugoslavia from their kinsfolk in Albania.

49. The situation in Kosovo was all the more disturbing in that the democratic and judicial institutions needed to establish the rule of law were totally lacking there. All the legitimate bodies had been dissolved, in blatant violation of the Constitution of the Yugoslav Federation. In July 1990, and then in March 1991, the Serbian Parliament had adopted unconstitutional legislation suspending the Parliament, Government and Presidency of Kosovo and removing the representative of Kosovo from the Yugoslav Presidium. Those officials had since been harassed by the police and some of them had been arrested. Serbia had also suspended the communal assemblies, the Albanian police and the judicial system in Kosovo. It could therefore be concluded that the Serbian official bodies in Kosovo were illegitimate, since they had been imposed by force of arms in an illegal and undemocratic manner. The amendments made to the Constitution of the autonomous province of Kosovo with a view to legitimizing those actions had been imposed in March 1989, under the state of emergency decreed by the Yugoslav Presidium in February 1989, through an irregular procedure and under pressure from the police and the army. Given the presence of the Serbian special police detachments, it was difficult to imagine how free and democratic elections could ever be held in Kosovo!

50. The United States of America, the European Community, Austria and other democratic countries had denounced that state of affairs and condemned the Serbian authorities, designating them as mainly responsible for it. The reports of non-governmental humanitarian organizations and the triggering of all the phases of the CSCE machinery also testified to the deterioration in the situation. In the Commission itself, many speakers had emphasized the obligations of States Members of the United Nations in regard to human rights and had expressed their concern at the rapid deterioration in the situation in Yugoslavia. Since human rights could not be promoted effectively when discrimination, oppression, forced assimilation and partial or total denial of individual and collective rights had become the general rule, the Commission should take into consideration the petition, signed by 500,000 ethnic Albanians, which had been submitted to it and should express support for the fundamental and national rights of the Albanians in Yugoslavia.

51. Ms. ATTAH (Nigeria) reminded the Commission that, at its previous session, her delegation had voiced concern at the human rights situation in Cyprus and expressed the hope that intercommunal dialogue would make it possible to reach a solution. Unfortunately, the situation had remained unchanged. A study of document E/CN.4/1992/3 showed that the tension and human rights violations had continued in Cyprus in spite of Security Council resolutions 541 (1983), 550 (1984), 649 (1990) and 716 (1991) and Commission resolution 1987/50.

52. The principal obstacle remained the occupation of part of Cyprus by foreign troops, whose withdrawal was a sine qua non for the exercise of human rights and fundamental freedoms, including the right to self-determination. It was inadmissible, also, to alter by force the demographic structure of parts of Cyprus, such as Varosha. The Security Council had already declared the purported secession of the occupied territory to be illegal and invalid.

As a member of the Non-aligned Movement and the Commonwealth Action Group on Cyprus, Nigeria would continue to contribute to a peaceful, just and lasting solution to the problem on the basis of the independence, sovereignty, territorial integrity and unity of Cyprus. In their communiqué issued in October 1991, the Commonwealth Heads of Government had stressed the need for compliance with all the United Nations resolutions on Cyprus in order to reach a negotiated settlement under the auspices of the Secretary-General. Her delegation remained convinced that such a settlement must be achieved through intercommunal discussions based on the high-level agreements concluded between the leaders of the Greek and Turkish Cypriot communities in 1977 and 1979 and on respect for the principles of the Charter of the United Nations and the declarations of the Council of Europe, the Non-aligned Movement and the Commonwealth.

53. She paid tribute to the Secretary-General of the United Nations for his good offices and hoped that he would be able to consider new approaches to solve the problem. She also commended the personal efforts which the President of the United States had made to the same end, as well as the endeavours of the Commission on Human Rights, the Council of Europe, the Non-aligned Movement and the Commonwealth. The two parties concerned must now cooperate unreservedly with the Secretary-General and the international community. She stressed the need for the question of Cyprus to remain on the Commission's agenda until it had been finally solved and expressed the hope that 1992 would be the International Year of Cyprus.

54. Mr. EL-KHAZEN (Observer for Lebanon) said that Israel had attacked Lebanon that very morning. Armoured vehicles, supported by aircraft and helicopters, had bombed and invaded territories outside the "security zone". UNIFIL had attempted to intervene and two of its members had been wounded. Heavy fighting was continuing around the villages of Kafra and Yater, with all the consequences that that implied for peace not only in Lebanon but throughout the Middle East.

55. Lebanon, which had had the honour to participate actively in the drafting of the Universal Declaration of Human Rights, and in whose view those rights embodied one of the most noble objectives of the United Nations, noted that Israel, a Member State of the United Nations, was continuing to violate those rights and engage in inhuman practices in southern Lebanon. Notwithstanding the numerous resolutions of the General Assembly of the United Nations, of the Security Council (resolutions 425 (1978) and 508 and 509 (1982)) and of the Commission calling upon it to withdraw from all the Lebanese territory that it was occupying, Israel was holding on to its so-called "security zone" under the fallacious pretext of protecting its northern region. Israel's scepticism as to the ability of the Lebanese army to extend the State's authority throughout its territory and guarantee security, particularly in southern Lebanon, could not justify its persistent aggression and occupation in Lebanon.

56. In its resolution 1991/66, the Commission had expressed grave concern at the continuing practices of the Israeli occupation forces in southern Lebanon, which constituted a violation of the Charter of the United Nations, the principles of international law, the Universal Declaration of Human Rights,

the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War and The Hague Convention IV of 1907. Israel had paid no heed to that resolution and had likewise disregarded the note verbale dated 27 June 1991 from the Secretary-General of the United Nations to the Israeli Minister for Foreign Affairs requesting information concerning the implementation of that resolution (see document E/CN.4/1992/36). That showed once again how much importance Israel attached to all those resolutions and to the role of the Commission.

57. For their part, however, the Lebanese citizens living under Israeli occupation in southern Lebanon and neighbouring areas could no longer endure such sufferings, of which he would give a distressing and necessarily lengthy account. Since 1978, many localities in the western Bekaa, Tyre, Sidon, Nabatieh and other areas, had been subjected to artillery fire and aerial bombardments to which many civilians in the Palestinian camp and elsewhere, including women and children, had fallen victim and which had also caused great material damage. Particularly murderous attacks had been launched on the eve of the peace conference at Madrid and just before the resumption of the negotiations at Washington. Those were only a few of the thousand examples that could be quoted. Southern Lebanon was being subjected to a policy of brutal repression: blowing up of houses, destruction of crops and blockades, sometimes amounting to sieges, of some recalcitrant villages which were thereby deprived of medicine and foodstuffs. As a result, tens of thousands of citizens were no longer able to live in their homes.

58. Israeli forces were also obstructing the activities of the Lebanese authorities and the deployment of the Lebanese army and UNIFIL. They were likewise impeding the humanitarian operations of the International Committee of the Red Cross, which was unable to visit Israeli detention centres, such as those at Khiam and Marjayoun, in spite of Commission resolution 1991/66. That abnormal situation would not end until the unlawful Israeli presence had been terminated and Security Council resolutions 505, 509 and 425 were fully implemented. Pursuant to the last-named resolution, the Lebanese State was doing everything in its power to extend its sovereign authority to the occupied parts of southern Lebanon. Thus the carrying of weapons was prohibited in that region, the Lebanese army was patrolling the ports along the entire length of the coast and was deployed at Sidon and Tyre, heavy and medium weapons were confiscated and light weapons would soon be so. If the Lebanese State was not succeeding in restoring stability and security in southern Lebanon, it was simply because Israel was forcibly preventing it from doing so.

59. In conclusion, he expressed his gratitude to ICRC, UNIFIL and the countries that were contributing to the human or material composition of those international forces. He appealed to the international community to ensure the triumph of right and justice by putting an end to the Israeli occupation, which constituted a flagrant violation of Lebanese sovereignty, and to the illegal and inhuman practices in which Israel was engaging in that country in total disregard of all international values and laws.

60. Mr. PASTOR RIDRUEJO (Special Representative of the Commission on Human Rights) presented his report on the human rights situation in El Salvador (E/CN.4/1992/32). He declared himself very satisfied with the efforts of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) to promote peace. Those efforts, made under the auspices of the Secretary-General of the United Nations, had produced spectacular and very promising results in recent months. For example, the New York Agreement concluded on 25 September 1991 provided, inter alia, for the establishment of a National Commission for the Consolidation of Peace (COPAZ), as well as the agenda for the negotiations on the new National Civil Police and the agenda for negotiations on pending items. Above all, the New York Agreement signed on 31 December 1991 and ratified at Mexico City on 16 January 1992 made provision for a final cessation of the armed confrontation with effect from 31 October 1992. The Commission should therefore feel gratified that its sustained pressure in favour of a negotiated solution had not been in vain. For El Salvador, the New York Agreement, in which common sense triumphed over violence, had inaugurated an era of reconciliation and reconstruction and of full respect for human rights.

61. However, the ideals of peace and harmony that had presided over the negotiations between the Government and the FMLN were by no means reflected in everyday life. In 1991, El Salvador had unfortunately still been the scene of grave violations of human rights. Summary executions carried out for political reasons by members of forces representing the State were continuing. The "death squads", which there was good reason to think were tolerated by those forces, were still operating. Abductions, sometimes culminating in disappearances, were continuing and officials of humanitarian organizations were still facing grave threats. Psychological intimidation, which was tantamount to torture, was still being practised during the extrajudicial interrogation of persons detained for political reasons.

62. However, with regard to criminal justice, the sentence of 30 years' imprisonment pronounced on 28 September 1991 against an army colonel and a lieutenant, who had been found guilty of the murder of the Jesuit priests and of their servant's daughter, should be welcomed. Although the other accused persons had been exculpated, probabaly because they were subordinates obliged to obey orders, the unusual nature of a verdict convicting a colonel and a lieutenant in the army should be highlighted. Moreover, according to information he had received, the investigations were to continue in order to identify possible instigators of the crime and determine the punishment that should be inflicted on them. Unfortunately, that case constituted an exception and little progress had been made in many other criminal proceedings concerning serious violations of human rights committed several years ago.

63. From the standpoint of international humanitarian law, he had reached the conclusion that, although it was difficult to determine the exact figures, the armed forces in El Salvador were not deliberately targeting the civilian population and their operations in 1991 had led to fewer civilian victims than in the previous year. In view of the difficulty of investigating summary executions of guerrillas captured in battle, he could not draw any precise conclusions in that regard.

64. In 1991, the FMLN for its part had carried out summary executions of off-duty soldiers and persons suspected of collaboration with the armed forces, abductions, forced recruitment of minors under 15 years of age, attacks on the country's economic infrastructure, and extortion of "war taxes". Many civilians had fallen victim to its contact mines or had been killed or seriously wounded by fire from its partisans.

65. Another matter of concern was the persistence in various social sectors and among some radical groups of a taste for violence and confrontation which ran counter to the objectives of peace and harmony for which the Government and the FMLN were striving in their negotiations. According to reports which he had not yet been able to verify, crimes disturbingly similar to some committed in the past had occurred in January 1992 and serious threats had been made against members of the National Council of Churches. He therefore strongly urged the Government of El Salvador and the FMLN to do their utmost to inculcate in all their forces and all the country's social sectors the ideals of peace and reconciliation that had prevailed during the negotiations. He also strongly recommended to the constitutional authorities in El Salvador and to the FMLN that they should collaborate fully with the United Nations observer mission (ONUSAL) and with the Division of Human Rights.

66. Mr. Ennaceur (Tunisia) took the Chair.

67. Mr. CORREIA (Angola) said that, precisely by virtue of its history, the People's Republic of Angola was committed to the defence of the fundamental rights and freedoms of individuals and peoples. That principle, which was embodied in its constitutional law, was also applied in Angola's foreign relations. Being a front-line country, Angola had suffered greatly at the hands of Pretoria's war machine and, in fact, had more physically handicapped persons and orphans than any other country in the world. However, its resistance, sustained by international solidarity, had thwarted the aims of the apartheid regime, forcing the latter to enter into a dialogue which, in 1988, had led to the signature of the New York agreements. Those agreements, which were extremely important for peace and security in the region, had in particular enabled Namibia to achieve independence. A cycle of violence and intolerance had thereby given way to a constructive dialogue and, following the elimination of the elements extraneous to the Angolan conflict, which had been fostering a fratricidal war in that country, conditions had become more favourable for a genuine national reconciliation. That reconciliation had been sealed by the peace agreement concluded between the Government and UNITA on 31 May 1991 and had enabled the country to make far-reaching political and socio-economic changes with a view to establishing the rule of law. The constitutional law now guaranteed more comprehensively the fundamental rights and freedoms of citizens; the specific wartime laws and capital punishment for crimes against the security of the State had been abolished and freedom of expression, association, assembly and trade-union organization was protected by a legislative enactment.

68. Looking to the future, he referred to the multi-party elections which various bodies, including the United Nations, would be helping to organize, and to the socio-economic development which would make it possible to guarantee

the enjoyment of fundamental rights and freedoms. To achieve that objective, however, Angola was more than ever in need of the international community's support and solidarity.

69. He welcomed the fact that international relations in general were currently undergoing profound transformations conducive to peace and development. That situation should be exploited without delay in order to democratize those relations so that all countries, whether small or large, would assume the same responsibilities in regard to the future of mankind. Being deeply committed to the principles of the Universal Declaration of Human Rights, having acceded without reservation to all the international instruments pertaining thereto, and being ready to cooperate with the international community in the promotion of fundamental rights and freedoms for all, the People's Republic of Angola nevertheless feared the current tendency to use human rights for political ends and, in short, interfere in the internal affairs of legitimate Governments. That tendency could actually prove detrimental rather than conducive to the promotion of human rights.

70. The transformation of international relations in a manner beneficial to human rights was largely attributable to the end of the cold war and of the East-West confrontation. He wondered whether the time had not also come to put an end to the North-South confrontation and establish the mechanisms needed to bridge the gap between rich and poor and between developed and developing countries. The countries of the South would then be able to enjoy greater social justice and true democracy. When millions of children no longer died every day from easily curable diseases, when they had access to basic education and were no longer obliged to prostitute themselves or to work at a young age in order to survive, it would be possible to speak of real promotion and enjoyment of human rights for all. But again, none of that would be possible without the help of the international community.

71. The right of peoples to self-determination, a principle to which the People's Republic of Angola was particularly attached, was a precondition for the enjoyment of the other fundamental human rights. Angola therefore welcomed the progress that had been made on the question of the Western Sahara and urged the parties concerned to cooperate with the Secretary-General of the United Nations in bringing to fruition in that territory the referendum process provided for in the United Nations plan.

72. However, there remained many matters of concern in that field, not least the situation in Palestine and in the Middle East in general. The case of East Timor was also extremely disturbing and even more incomprehensible. In fact, that territory had fallen victim to a country whose behaviour was difficult to understand in view of the fact that it too had suffered the horrors of foreign domination and had thitherto always respected the principles of the Movement of Non-aligned Countries. Angola was in favour of negotiations between Portugal and Indonesia which would not exclude the physical presence of legitimate representatives of the people of East Timor, in order to reach a solution that would take due account of that people's legitimate aspirations to self-determination and independence.

73. In that connection it would be remembered that, after the massacre to which that people had been subjected on 12 November, the permanent representatives of the five Portuguese-speaking African countries to the United Nations had published a joint declaration, which had been distributed under the symbol S/23235. In that declaration, they had indignantly condemned the massacre perpetrated by the Indonesian forces of repression and had called upon the Indonesian Government to put an immediate end to the acts of violence against the people of East Timor. They had also invited the Commission on Human Rights to take the necessary steps to undertake a fact-finding mission as soon as possible. It was to be hoped that Indonesia, which would soon be presiding over the destinies of the Movement of Non-aligned Countries, and would undoubtedly do so in a commendable manner, would follow the path of reason and recognize the right to self-determination of the people of East Timor.

74. In conclusion, he affirmed that his country unreservedly supported the idea of the World Conference on Human Rights and was also in favour of an in-depth study being conducted of the relationship between the right to development and human rights in general.